



Order Filed on March 22, 2021
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

**Robertson, Anschutz, Schneid, Crane & Partners,
PLLC**

Authorized Agent for Secured Creditor
130 Clinton Road, Lobby B, Suite 202
Fairfield, NJ 07004
Telephone: 973-575-0707
Facsimile: 973-404-8886

Harold Kaplan (HK0226)

In Re:

Clifford Carter,

Debtor,

Regina Carter,

fka Regina Collins

fka Regina Spring Carter

Joint Debtor.

Case No.: 19-28930-ABA

Chapter: 13

Hearing Date: February 9, 2021

Judge: Andrew B. Altenburg Jr.

**ORDER RESOLVING SECURED CREDITOR'S MOTION FOR RELIEF FROM THE
AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) through three (3), is hereby

ORDERED.

DATED: March 22, 2021

A handwritten signature in black ink, appearing to read "ABJ", is written over a horizontal line.

Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Page 2

Secured Creditor: NewRez LLC D/B/A ShellPoint Mortgage Servicing

Secured Creditor's Counsel: Robertson, Anschutz, Schneid, Crane & Partners, PLLC

Debtors' Counsel: Mark W Ford, Esq.

Property Involved ("Collateral"): 12 Robin Lane, Berlin Twp, New Jersey 08091

Relief sought: ■ Motion for relief from the automatic stay
 □ Motion to dismiss
 □ Motion for prospective relief to prevent imposition of automatic stay
 against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Secured Creditor's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:
 - The Debtor is overdue for 10 months from May 1, 2020 through February 1, 2021.
 - The Debtor is overdue for 3 payments from May 1, 2020 at \$1,955.24 per month.
 - The Debtor is overdue for 7 payments from August 1, 2020 at \$1,956.74 per month.

Funds Held In Suspense \$245.23.

Total Arrearages Due \$19,317.67.

2. Debtor must cure all post-petition arrearages, as follows:
 - Immediate payment shall be made in the amount of \$6,000.00. Payment shall be made within 10 days of entry of this Order.
 - Beginning on March 1, 2021, regular monthly mortgage payments shall continue to be made in the amount of \$1,956.74.
 - Beginning on March 15, 2021, monthly cure payments shall be made in the amount of \$2,219.61 for 5 months with a 6th and final payment in the amount of \$2,219.62 coming due on or before August 15, 2021.

3. Payments to the Secured Creditor shall be made to the following address(es):

- Immediate cure payment: NewRez LLC dba Shellpoint Mortgage Servicing
ATTN: Bankruptcy Department
PO Box 740039
Cincinnati, Ohio 45274-0039
- Regular monthly payment: NewRez LLC dba Shellpoint Mortgage Servicing
ATTN: Bankruptcy Department
PO Box 740039
Cincinnati, Ohio 45274-0039
- Monthly cure payment: NewRez LLC dba Shellpoint Mortgage Servicing
ATTN: Bankruptcy Department
PO Box 740039
Cincinnati, Ohio 45274-0039

4. In the event of Default:

■ Should the Debtor(s) fail to make any of the above captioned payments, or if any regular monthly mortgage payment should become more than thirty (30) days late or if Debtor(s) fails to comply with any terms of this Order, counsel shall file a Certification of Default with the Court. A copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Order.

■ In the event the Debtor(s) convert(s) to a Chapter 7 during the pendency of this bankruptcy case, the Debtor(s) shall cure all arrears within ten (10) days from the date of conversion in order to bring the loan contractually current. Should the Debtors fail to bring the loan contractually current, counsel shall file a Certification of Default with the Court, a copy of the Certification shall be sent to the Chapter 13 Trustee, Chapter 7 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Order.

■ This agreed order survives any loan modification agreed to and executed during the instant bankruptcy. If any regular mortgage payment due after the execution of a loan modification is more than thirty (30) days late, counsel shall file a Certification of Default with the Court a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and Debtors' attorney and the court shall enter an Order granting relief from the Automatic Stay. Debtor shall pay \$200.00 for each notice of default issued by Secured Creditor as a result of the Debtor's failure to comply with this Consent Order.

5. Award of Attorneys' Fees:

- The Applicant is awarded attorney fees of \$350.00 and costs of \$188.00.

The fees and costs are payable:

- Through the Chapter 13 plan.
- ☐ To the Secured Creditor within _____ days.
- ☐ Attorneys' fees are not awarded.

In re:
Clifford Carter
Regina Carter
Debtors

Case No. 19-28930-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1
Date Rcvd: Mar 22, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition |
|--------|--|
| + | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Mar 24, 2021:

| Recip ID | Recipient Name and Address |
|----------|---|
| db/jdb | + Clifford Carter, Regina Carter, 12 Robin Lane, West Berlin, NJ 08091-9101 |

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Mar 24, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on March 22, 2021 at the address(es) listed below:

| Name | Email Address |
|--------------------------|--|
| Aleisha Candace Jennings | on behalf of Creditor New Residential Mortgage LLC ajennings@raslg.com |
| Denise E. Carlon | on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE et al... dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com |
| Elizabeth L. Wassall | on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-W1 ewassall@logs.com, njbankruptcynotifications@logs.com;logsecf@logs.com |
| Harold N. Kaplan | on behalf of Creditor NewRez LLC D/B/A ShellPoint Mortgage Servicing hkaplan@rasnj.com informationathnk@aol.com |
| Harold N. Kaplan | |

District/off: 0312-1

User: admin

Page 2 of 2

Date Rcvd: Mar 22, 2021

Form ID: pdf903

Total Noticed: 1

on behalf of Creditor Ditech Financial LLC hkaplan@rasnj.com informationathnk@aol.com

Harold N. Kaplan

on behalf of Creditor U.S. BANK NATIONAL ASSOCIATION AS TRUSTEE FOR STRUCTURED ASSET SECURITIES CORPORATION MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2006-W1 hkaplan@rasnj.com, informationathnk@aol.com

Harold N. Kaplan

on behalf of Creditor U.S. Bank National Association as Trustee for Structured Asset Securities Corporation Mortgage Pass-Through Certificates, Series 2006-W1 hkaplan@rasnj.com, informationathnk@aol.com

Harold N. Kaplan

on behalf of Creditor U.S. Bank National Association hkaplan@rasnj.com informationathnk@aol.com

Isabel C. Balboa

ecfmail@standingtrustee.com summarymail@standingtrustee.com

Isabel C. Balboa

on behalf of Trustee Isabel C. Balboa ecfmail@standingtrustee.com summarymail@standingtrustee.com

Kevin Gordon McDonald

on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE et al... kmcdonald@kmlawgroup.com, bkgroup@kmlawgroup.com

Mark W Ford

on behalf of Joint Debtor Regina Carter markfordlaw@juno.com reginaperfetti1@gmail.com

Mark W Ford

on behalf of Debtor Clifford Carter markfordlaw@juno.com reginaperfetti1@gmail.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 14